

**ASSEMBLY BILL**

**No. 1309**

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**Introduced by Assembly Member Miller**

February 18, 2011

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An act to amend Section 969.6 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1309, as introduced, Miller. County road expenditures.

Existing law, if a state of emergency is declared by the board of supervisors as a result of locally heavy rainfall or flood, authorizes the board to expend county road funds for emergency repairs to public roads that are not county highways if the repairs are necessary to provide minimum public access for the protection and preservation of health or safety of residents.

This bill would make nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 969.6 of the Streets and Highways Code
- 2 is amended to read:
- 3 969.6. Notwithstanding Section 969.5 or any other provision
- 4 of this code, if a state of local emergency is declared by the board
- 5 of supervisors as a result of locally heavy rainfall or flood, the
- 6 board may authorize the expenditure of road funds for the purpose
- 7 of emergency repairs to public roads ~~which~~ *that* are not county
- 8 highways and not in the county maintained system, without

1 obtaining a grant or lease of right-of-way, if the repairs are  
2 necessary to provide minimum public access—~~necessary~~ for the  
3 protection or preservation of health or safety of residents. The  
4 county shall not be responsible for the maintenance of any road  
5 so repaired, and it shall not be liable for the condition of the road  
6 after the emergency repairs are made.

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